

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

IN RE: ARC ARIBAG INFLATORS	*
PRODUCTS LIABILITY	* MDL No. 3051
LITIGATION	* Case No. 1:22-MD-03051-ELR
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**ORDER**

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This matter is presently before the Court on Plaintiffs’ Motion for Status Conference Regarding Discrete Pre-Answer Discovery, which (per Plaintiffs’ representation) Defendants oppose. [Doc. 341].

Plaintiffs request that the Court schedule a case management conference “to address the status of the litigation and Plaintiffs’ proposal to advance the case by allowing discovery of certain narrow categories of materials that Defendants have already collected, and to address the Court’s view as to the utility, timing, and format of any motion practice on this proposal.” [Doc. 341 at 1]. Plaintiffs recognize that there are “dozens (if not hundreds) of issues contained in the pending motions to dismiss,” but they anticipate that at least some of their claims will survive dismissal and seek to begin developing a factual record and prevent (or minimize) the loss of evidence in this three-year old case by taking limited discovery. [Id. at 2]. In addition to advocating for the need to open pre-answer discovery notwithstanding Local Rule

26.2(A), Plaintiffs propose to further discuss the factors supporting discovery at the status conference. [Id. at 4].

While the Court appreciates Plaintiffs' desire to advance this case, it is not inclined to open fact discovery while Defendants' numerous motions to dismiss remain pending. Accordingly, the Court perceives no utility to scheduling a status conference at this time. It shall provide the Parties direction on the next step to advance this case in its order addressing the pending motions. The Court leaves open the possibility of scheduling a status conference to address (if warranted) any scheduling issues for the efficient conduct of discovery following its rulings on the 24 currently pending motions.

Accordingly, the Court **DENIES** Plaintiffs' Motion for Status Conference Regarding Discrete Pre-Answer Discovery. [Doc. 341].

**SO ORDERED**, this 27th day of August, 2025.



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Eleanor L. Ross  
United States District Judge  
Northern District of Georgia